

## REMARKS

Claims 17-28 are pending in the application and are subject to restriction and/or election requirement. The claims stand restricted under 35 U.S.C. § 121 as follows:

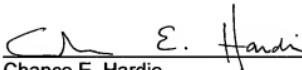
- I. Claims 17-25, drawn to a viral effector library comprising nucleic acid sequences of mammalian origin, classified in class 506, subclass 17; and
- II. Claims 26-28, drawn to a method of making a packaged viral effector library comprising sequences synthesized on a surface of a microarray, classified in class 506, subclass 30.

Applicant elects Group II, with traverse. Independent claim 17 of Group I has been canceled without prejudice. Dependent claims 18-25 have been amended to depend from claim 26 and are thus drawn to Group II. Further, Applicant elects species with at least 1000 effector sequences and species where the effector nucleic acid sequences code for siRNA. Claims readable on the elected species include claims 18, 21-24 and 26-28.

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures dated January 24, 2008, Applicant submits that the last sequence listing filed in May 2007 has been accepted as shown in the attached printouts from PAIR dated May 23, 2007. There have been no new submissions since May 2007 when it was reported that no errors existed. Problems identified from processing dated September 19, 2007 appear erroneous and may have been made with respect to a submission superseded by the one in May 2007. Upon contacting the CRF Submission Help desk, Applicant was informed that an e-mail was to be sent to the Examiner explaining this inconsistency and that the sequence listing requirements had already been accepted.

Having addressed all issues set out in the office action, Applicant respectfully requests prosecution of claims 18, 21-24 and 26-28.

Respectfully submitted,



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Sequence Listing was accepted.

If you need help call the Patent Electronic Business Center at (866) 217-9197 (toll free).

Reviewer: Durreshwar Anjum

Timestamp: Wed May 23 13:47:47 EDT 2007

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Application No: 10658632 Version No: 1.0

**Input Set:**

**Output Set:**

**Started:** 2007-05-23 13:13:10.549  
**Finished:** 2007-05-23 13:13:10.613  
**Elapsed:** 0 hr(s) 0 min(s) 0 sec(s) 64 ms  
**Total Warnings:** 0  
**Total Errors:** 0  
**No. of SeqIDs Defined:** 20  
**Actual SeqID Count:** 20

Notice to Comply	Application No.	Applicant(s)
	101658,632 Examiner Shibuya	Chenclit Art Unit 1639

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES**

Applicant must file the items indicated below within the time period set in the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- 7. Other: Please see attached sheets.

**Applicant Must Provide:**

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (571) 272-2510  
For CRF Submission Help, call (571) 272-2501/2583.  
PatentIn Software Program Support

Technical Assistance..... 703-287-0200

To Purchase PatentIn Software..... 703-306-2600

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY**

## SCORE

### CRF Problem Report

SCORE experienced a problem when processing the following computer readable form (CRF):

Application Serial Number: 10658632  
Filing Date: 7-22-04  
Date Processed by SCORE: 9-19-07

Contact: Electronic Business Center: Telephone: 866-217-9197

#### Nature of CRF Problem:

- (circle one) Damaged or Unreadable
- Blank (no files on CRF)
- Empty file (filename present, but no bytes in file)
- Wrong file saved to CRF (invention title, docket number, or applicant(s) do not match those in official application)
- Not saved in ASCII text
- Sequence Listing was embedded in the file. According to Sequence Rules, submitted file should only be the Sequence Listing.
- Did not contain a Sequence Listing.
- Other:

Word document

PLEASE USE THE CHECKER VERSION 4.4.0 PROGRAM TO REDUCE ERRORS.  
SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker/chkrnote.htm>

1. EFS-Bio (<http://www.uspto.gov/ebc/efs/downloads/documents.htm>), EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
3. Hand Carry, Federal Express, United Parcel Service, or other delivery service (EFFECTIVE 01/14/05): U.S. Patent and Trademark Office, Mail Stop Sequence, Customer Window, Randolph Building, 401 Dulany Street, Alexandria, VA 22314

Revised 01/20/06